

**RECEIVED** IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

2008 MAY -9 A 10: 20

DESHAUN CARTER, SHONITA FORD, )  
TARRENCE GORDON, DONALD )  
HAWTHORNE, KERRY HAWTHORNE, )  
DANA HOOPER, LARRY OSBORNE, )  
BARRY REYNOLDS )  
PLAINTIFFS, )  
vs. )  
DAEHAN SOLUTION ALABAMA, LLC )  
DEFENDANT. )

**CIVIL ACTION NO.:**  
**2:07-CV-0988-WKW**

**DEFENDANT'S MOTION TO FILE MATERIALS UNDER SEAL**

**COMES NOW** Defendant Daehan Solution Alabama, LLC ("Daehan"), and respectfully requests that the Court grant this Motion to File Materials Under Seal. The materials submitted with this motion, and with Defendant's Motion for Protective Order filed contemporaneously herewith, include the following:

- Exhibit A – Compact Disc containing 64 audiotape voicemail messages of Plaintiff Barry Reynolds;
- Exhibit B – Attorney-Client Work Product transcription of 64 audiotape voicemail messages of Plaintiff Barry Reynolds set forth on the Compact Disc (Ex. A) submitted herewith; and
- Exhibit C -- Attorney-Client Work Product summary of subject matter set forth in 64 audiotape voicemail messages of Plaintiff Barry Reynolds set forth on the Compact Disc (Ex. A) submitted herewith.

In support of this motion, Defendant Daehan incorporates all arguments set forth in its Motion for Protective Order filed contemporaneously herewith.

The Compact Disc contains approximately 64 audiotape voicemail messages left by Plaintiff Barry Reynolds during December 2005 and January 2006 on the business, cell and home voicemail devices of Daehan's former General Manager of Human Resources, Rick Garrett. As set forth in detail in Daehan's Motion for Protective order, Daehan seeks to temporarily seal and delay production of the 64 audiotape messages until after the completion of the deposition of Plaintiff Barry Reynolds for the purpose of preserving the impeachment value of the evidence and to allow Daehan to obtain the unrefreshed testimony of Plaintiff Reynolds. Defendant Daehan further requests that the Court permanently seal the audiotape transcripts and subject matter summary, Exhibits B and C, respectively, because they are the attorney-client work product prepared by Defendant's counsel for the purpose of assisting the Court in its review of the 64 audiotape messages.

**WHEREFORE, PREMISES CONSIDERED,** Defendant Daehan Solutions Alabama, LLC respectfully request that the Court grant this Motion to File Materials Under Seal and temporarily seal the Compact Disc containing the 64 audiotape voicemail messages of Plaintiff Barry Reynolds until the completion of his deposition and permanently seal the audiotape transcripts and subject matter summary prepared by Daehan's counsel.

Respectfully submitted this 9th of May, 2008.



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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above document has been electronically filed using the CM/ECF system and by U.S. mail to Plaintiffs Shonita Ford and Deshaun Carter on this the 9th day of May, 2008 as follows:

LEE D. WINSTON, ESQ. RODERICK COOKS, ESQ. WINSTON & COOKS, LLC The Penick Building 319-17th Street North Birmingham, AL 35203	BYRON R. PERKINS THE COCHRAN FIRM 505 North 20th Street, Suite 825 Birmingham, Alabama 35203
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Of Counsel